

## REMARKS

Claims 1-19 are pending in the application, of which claims 9-19 are canceled. The Specification is amended herein as suggested by the Examiner, and Corrected Drawings are filed herein in response to the Examiner's objection to the informal drawings filed with the application. The Applicant thanks the Examiner for the indication that claims 2-4 and claims 6-8 contain allowable subject matter. The Applicant hereby requests further examination and reconsideration of the application in view of the foregoing amendments and these remarks.

In the event that the Examiner believes that this amendment does not place the application in condition for allowance, the Applicant requests a telephonic interview between the Examiner and the Applicant's attorney Ian Hughes to discuss this amendment. The Applicant requests that the Examiner call Mr. Hughes (215-557-6659) to arrange a convenient time for such an interview.

In the Office Action, the Examiner rejects claims 1 and 5 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,459,745 to Moose et al. (hereinafter "Moose") in view of Pillai and Sinha, "Improvements on the Cramer-Rao Bound", IEEE, 1991 (hereinafter "Pillai"). In response, Applicant has amended claim 1 to recite:

"generating a probability density function (PDF) based on an  
**extension portion and a synchronization portion** of said OV, the  
**PDF including first and second terms based on said symbol timing  
error** 9. . . [emphasis added]."

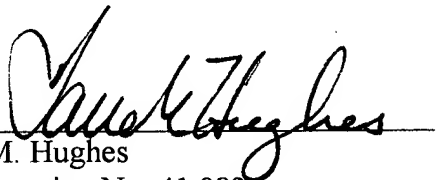
Applicant has amended claim 1 to recite that the PDF is generated based on first and second portions of the OV, and has at least two terms based on the symbol timing error. Support for such amendment may be found throughout the specification and, in particular, at page 10, line 18, to page 11, line 12, and in original claim 2, indicated by the Examiner as containing allowable subject matter. Applicant has similarly amended claim 5, and claims 2 and 6 are amended as a consequence of the amendments to independent claims 1 and 5.

Applicant has amended claims 1-8 for clarity, and the claims are amended to be consistent with terminology of the Specification. Applicant has also amended claim 5 to more distinctly recite operation by a receiver on a received bit stream. These amendments are not in response to the references cited in the Office Action.

In view of the above amendments and remarks, the Applicant believes that the pending claims are in condition for allowance. Therefore, the Applicant believes that the entire application is now in condition for allowance, and early and favorable action is respectfully solicited.

Respectfully submitted,

Date: 9/22/04  
Customer No. 46900  
Mendelsohn & Associates, P.C.  
1515 Market Street, Suite 715  
Philadelphia, Pennsylvania 19102

  
\_\_\_\_\_  
Ian M. Hughes  
Registration No. 41,083  
(215) 557-6659 (phone)  
(215) 557-8477 (fax)